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M. McMULLEN TAYLOR

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TELEPHONE 252-3300
TELECOPIER 256-8062

TRACEY C. GREEN
SPECIAL COUNSEL

*ALSO ADMITTED IN TX

February 11, 2008

VIA HAND-DELIVERY

The Honorable Charles L.A. Terreni
Chief Clerk / Administrator
Public Service Commission of South Carolina
Post Office Box 11649
Columbia, South Carolina 29211

RECEIVED
2008 FEB 11 PM 4:44
SC PUBLIC SERVICE
COMMISSION

RE: Docket No. 2008-10-WS – Application of Carolina Water Service, Inc. for
Approval of a Contract With Tri Mark Group, LLC to Serve Tullamore
Subdivision in York County

Dear Mr. Terreni:

On January 14, 2008, our office received a letter from the Public Service Commission of South Carolina ("Commission") requiring that Carolina Water Service, Inc. ("CWS") publish "on or before January 24, 2008, the enclosed Notice in newspapers of general circulation" in the areas affected by the Application in the above-referenced matter.

On January 16, 2008, Kristina Kusa, a paralegal at our firm, contacted the Rock Hill Herald ("Herald"), a newspaper of general circulation in York County which includes the service area of Tullamore Subdivision and spoke with Ms. Emily Howell, a Herald staff member regarding publication of the notice. She was directed to email the Notice, along with the deadline for publication, to Ms. Howell, who received and read the email at 4:46 that afternoon. *See*, Affidavit of Kristina Kusa attached hereto as Exhibit A. On February 6, 2008, Ms. Kusa contacted the Herald to inquire about the status of the Affidavit of Publication. She was informed that, due to an internal communication error at the Herald and despite CWS's diligent attempts to ensure timely publication, the Herald did not run the Notice as requested. *See*, Affidavit of Emily Howell attached hereto as Exhibit B.

Unfortunately, because of the Herald's error, publication was not timely made in accordance with the Commission's Transmittal Letter dated January 16, 2008. CWS submits that it took the appropriate steps to ensure timely filing of the Notice and that the failure to publish was not due to an error or oversight on its part. Therefore, CWS respectfully requests that the Commission issue a revised Transmittal Letter extending the dates for publication so as to allow CWS the opportunity to timely publish notice. Additionally, the current Notice sets a return date of February 14, 2008. In order to allow interested parties to participate if desired,

The Honorable Charles L.A. Terreni
February 11, 2008
Page 2

CWS respectfully requests that the Commission issue a revised notice extending the return date. CWS has discussed these issues with the Office of Regulatory Staff as the only other party of record in this matter, and it is our understanding that they do not object to this request.

Enclosed for filing please find the original and five (5) copies of this letter with attached exhibits in the above-captioned matter. By copy of this letter, I am serving counsel for the Office of Regulatory Staff with a copy of same and enclose a certificate of service to that effect. I would appreciate your acknowledging receipt of this document by date-stamping the extra copy that is enclosed and returning it to me via my courier delivering same.

Thank you for your assistance with this matter. If you have any questions or if you need any additional information, please do not hesitate to contact us.

Sincerely,

WILLOUGHBY & HOEFER, P.A.

A handwritten signature in black ink, appearing to read "Benjamin P. Mustian", written in a cursive style.

Benjamin P. Mustian

BPM/kwk
Enclosures

cc: Shealy Boland Reibold, Esquire

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-10-WS


RECEIVED
2008 FEB 11 PM 4:42
SC PUBLIC SERVICE
COMMISSION

IN RE:)
)
Application of Carolina Water Service,)
Inc. for Approval of a contract with)
Tri Mark Group, LLC to serve)
Tullamore Subdivision in York County)
_____)

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day one (1) copy of the Honorable Charles L.A. Terreni letter with exhibits in the above-captioned matter by placing same in the care and custody of the United States Postal Service with first class postage affixed thereto and addressed as follows:

Shealy Boland Reibold, Esquire
Office of Regulatory Staff
Post Office Box 11263
Columbia, South Carolina 29211



Kristina W. Kusa

Columbia, South Carolina
This 11th day of February, 2008.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2008-10-W/S

IN RE:)
)
Application of Carolina Water Service,)
Inc. for approval of a contract with)
Tri Mark Group, LLC, to serve)
Tullamore Subdivision in York County)
_____)

AFFIDAVIT

RECEIVED
2008 FEB 11 PM 4:45
SC PUBLIC SERVICE
COMMISSION

Personally appeared before me Kristina Kusa who, having first been duly sworn, deposes and states as follows:

1. My name is Kristina Kusa and I am an employee of the law firm of Willoughby & Hoefer, P.A. ("Willoughby & Hoefer"). I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. Willoughby & Hoefer currently represents Carolina Water Service, Inc. in its Application for approval of a contract with Tri Mark Group, LLC to serve Tullamore Subdivision in York County in Docket No. 2008-10-W/S of the South Carolina Public Service Commission ("Commission").

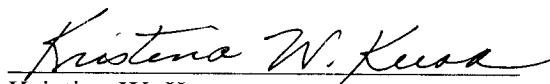
3. On January 15, 2008, our offices received a letter from the Commission dated January 14, 2008, wherein the Commission required our firm to publish "on or before January 24, 2008, the enclosed Notice [of Filing] in newspapers of general circulation, in the affected areas."

4. On January 16, 2008, I contacted Emily Howell at the Rock Hill Herald ("Herald"), a newspaper in York County. Upon information and belief, Ms. Howell was responsible for the publication of legal notices in the Herald.

5. I informed Ms. Howell that our office desired to employ their services to publish the Notice of Filing ("Notice") as required by the Commission. That same day, I provided Ms. Howell with a copy of the Notice via electronic mail as she had requested. A copy of this email is attached hereto as Attachment A and incorporated herein by reference. It was my understanding from my conversation with Ms. Howell that the Notice would be published before January 24, 2008.

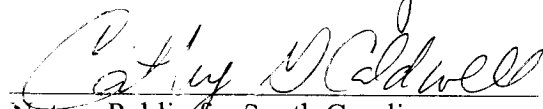
6. On Wednesday, February 6, 2008, I contacted the Herald and was informed that the Notice had not been published, contrary to previous assurances by Ms. Howell and as discussed in our earlier conversations.

FURTHER AFFIANT SAYETH NOT.


Kristina W. Kusa

SWORN TO AND SUBSCRIBED BEFORE ME

This 11th day of February, 2008


Notary Public for South Carolina
My Commission Expires: 1/28/2015

Kristina Kusa

From: Kristina Kusa
Sent: Wednesday, January 16, 2008 4:36 PM
To: 'ehowell@heraldonline.com'
Subject: Legal Ad: Notice of Filing for Docket 2008-10-WS
Attachments: Notice of Filing Docket 2008-10-WS.doc

Dear Ms. Howell:

Attached please find a Notice of Filing in the above-referenced docket that I am requesting be published in the Rock Hill Herald one (1) time at your earliest convenience, but no later than January 24, 2008. As soon as this Notice is published, please provide me with an Affidavit of Publication at the following address:

Kristina W. Kusa
Willoughby & Hoefer, PA
PO Box 8416
Columbia, SC 29202

You may provide an invoice for all expenses to the same address.

Thank you for your assistance with this matter. If you have any questions or need additional information, please do not hesitate to contact me.

Kristina W. Kusa
Paralegal
Willoughby & Hoefer, P.A.
930 Richland Street
Post Office Box 8416
Columbia, South Carolina 29202
Telephone #: (803) 252-3300
Facsimile #: (803) 256-8062
E-mail address: kkusa@willoughbyhoefer.com

Confidentiality Notice: The information contained in this transmittal, including any attachment, is privileged and confidential information and is intended only for the person or entity to which it is addressed. If you are neither the intended recipient nor the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, copying or distribution or the taking of any action in reliance on the contents of this transmittal is strictly prohibited. If you have received this transmittal in error, please contact the sender immediately by telephoning the sender at (803) 252-3300 and, also, please delete this transmittal from any computer or other data bank. Upon request, we will reimburse your reasonable costs of notifying us of a transmission error. Thank you.

Kristina Kusa

From: postmaster@willoughbyhoefer.com
Sent: Wednesday, January 16, 2008 4:37 PM
To: Kristina Kusa
Subject: Delivery Status Notification (Relay)

Attachments: ATT01662.txt; Legal Ad: Notice of Filing for Docket 2008-10-WS



ATT01662.txt (236 Legal Ad: Notice of
B) Filing fo...

This is an automatically generated Delivery Status Notification.

Your message has been successfully relayed to the following recipients, but the requested delivery status notifications may not be generated by the destination.

ehowell@heraldonline.com

Kristina Kusa

From: Howell, Emily - Rock Hill [EHowell@heraldonline.com]
To: Kristina Kusa
Sent: Wednesday, January 16, 2008 4:46 PM
Subject: Read: Legal Ad: Notice of Filing for Docket 2008-10-WS

Your message

To: EHowell@heraldonline.com
Subject:

was read on 1/16/2008 4:46 PM.

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-10-W/S

RECEIVED
 2008 FEB 11 PM 4:45
 SC PUBLIC SERVICE
 COMMISSION

IN RE:

Application of Carolina Water Service,
 Inc. for approval of a contract with
 Tri Mark Group, LLC, to serve
 Tullamore Subdivision in York County

AFFIDAVIT

Personally appeared before me Emily Howell who, having first been duly sworn, deposes and states as follows:

1. My name is Emily Howell and I am an employee of the Rock Hill Herald ("Herald") located in York County, South Carolina. I am competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

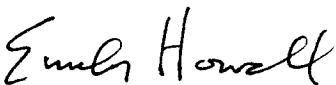
2. Maureen Funderburk, an employee of the Herald, is responsible for coordinating the publication of legal notices in the Herald. During the period of time from January 16, 2008 through January 24, 2008, Ms. Funderburk was on a leave of absence from work and assigned these responsibilities to me.

3. On January 16, 2008, Kristina Kusa, a paralegal at the Willoughby & Hoefer law firm contacted me regarding publication of a legal notice. I subsequently received an electronic message from Ms. Kusa on the afternoon of January 16, 2008 which contained a Notice to be published for the Willoughby & Hoefer law firm on behalf of Carolina Water Service, Inc. in Docket No. 2008-10-W/S. The electronic mail indicated that the Notice was required to be published by January 24, 2008.

4. The Notice was presented to the Herald in a timely fashion such that publication by January 24, 2008 was possible.

5. Due to an internal communication error at the Herald, the Notice was not published by January 24, 2008. This error was due to no fault of Carolina Water Service, Inc. or the Willoughby & Hoefer law firm.

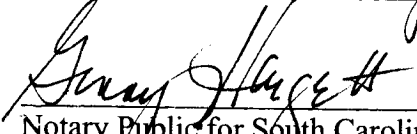
FURTHER AFFIANT SAYETH NOT.



Emily Howell

SWORN TO AND SUBSCRIBED BEFORE ME

This 7 day of February, 2008



Notary Public for South Carolina
My Commission Expires: 2015